

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

FAUSTINO HERNANDEZ,

Plaintiff,

v.

No. 2:24-cv-01242-SMD-KRS

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY and DOES 1-10,

Defendants.

**ORDER GRANTING STIPULATED MOTION
TO BIFURCATE AND STAY EXTRA-CONTRACTUAL CLAIMS
AND AMENDING [15] SCHEDULING ORDER**

THIS MATTER having come before the Court on the parties' Stipulated Motion to Bifurcate and Stay Extra-Contractual Claims (Doc. 22), the Court having reviewed the pleadings, noting that the Motion is jointly filed and stipulated, and finding good cause, FINDS that the Motion is well-taken in part and should be GRANTED as follows:

Plaintiff's extra-contractual claims (Causes of Action Two, Three, and Four) shall be and hereby are bifurcated and stayed for purposes of discovery and dispositive motions, pending discovery and dispositive motions on the underlying contract claim (First Cause of Action). The Scheduling Order entered on February 21, 2025 (Doc. 15) is hereby amended to apply to Plaintiffs' First Cause of Action only. The determination of whether to bifurcate the extra-contractual claims

for purposes of trial will be made by the presiding trial judge after resolution of dispositive motions on the underlying contract claim.

IT IS SO ORDERED this 10th day of April, 2025.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE

Submitted by:

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